

NOV 16 2005

Before the
Federal Communications Commission
Washington, DC 20554

WIRELINE COMPETITION BUREAU

In the Matter of)	
)	
Federal-State Joint Board on Universal Service)	CC Docket No. 96-45
)	
Lifeline and Link-Up)	WC Docket No. 03-109
)	
Petition of Cingular Wireless LLC for)	
Designation as a Temporary ETC to Provide)	
Relief to Victims of Hurricane Katrina)	
To: The Commission		

**PETITION OF CINGULAR WIRELESS LLC FOR DESIGNATION AS A
TEMPORARY ETC TO PROVIDE RELIEF TO VICTIMS OF HURRICANE KATRINA**

Pursuant to the Commission's Order adopting temporary modifications to the low-income universal service support programs to meet the needs of victims of Hurricane Katrina,¹ Cingular Wireless LLC ("Cingular"), on behalf of itself and its affiliated providers of Commercial Mobile Radio Service ("CMRS"), hereby seeks designation as a temporary eligible telecommunications carrier ("ETC") on a nationwide basis, solely for the purpose of providing Lifeline and Link-Up service consistent with the *Katrina Order* to qualified victims of Hurricane Katrina.

As a nationwide provider of wireless service, Cingular provides wireless service in the states most affected by Hurricane Katrina (Louisiana, Alabama, and Mississippi), as well as other states across the country in which individuals affected by the hurricane have taken refuge. Cingular has already made extensive efforts to assist its customers affected by this natural

¹ *Federal-State Joint Board on Universal Service; Schools and Libraries Support Mechanism; Rural Health Care Support Mechanism; Lifeline and Link-Up*, CC Docket Nos. 96-45, 02-6; WC Docket Nos. 02-60, 03-109, Order, FCC 05-178 (rel. Oct. 14, 2005) ("*Katrina Order*").

disaster, and also has aided in relief efforts.² Consistent with its prior efforts and its commitment to assisting the nation to recover from this national disaster, Cingular wishes to receive the special designation established in the *Katrina Order* to provide Lifeline and Link-Up assistance to qualified individuals.

I. CINGULAR WILL PROVIDE A PLAN CONSISTENT WITH THE KATRINA ORDER

Cingular will provide a plan consistent with the *Katrina Order* to qualified individuals, as described in Exhibit A. As described therein, the plan will include options for new customers as well as existing customers. The plan for new customers who do not already own a Cingular handset will include a free wireless handset and at least 300 minutes of use. After the included minutes are used, Cingular will allow plan participants to retain their handsets. The plan also includes options for existing customers that already own a Cingular phone that include additional minutes (up to 520 minutes for Go Phone – Pay as You Go prepaid customers and up to 1300 minutes for postpaid customers). Cingular will offer such plans beginning on the date of its designation until March 1, 2006. Cingular's coverage area is identified in Exhibit A-1.

Cingular will publicize the availability of the plan in a manner reasonably designed to reach those qualified for the service.³ Cingular's advertising plan for this special Lifeline offering is attached hereto as Exhibit B.

² See September 8, 2005 letter from Mr. Brian F. Fontes, Vice President, Federal Relations, Cingular Wireless LLC, to Monica Desai, Chief, Consumer & Government Affairs Bureau, and Catherine W. Seidel, Acting Chief, Wireless Telecommunications Bureau, in response to Public Notice DA 05-2421.

³ 47 C.F.R. § 54.405(b).

II. CINGULAR WILL OFFER THE PLAN ONLY TO QUALIFYING SUBSCRIBERS

Consistent with the *Katrina Order*, Cingular proposes to offer the plan only to heads of households approved for individual FEMA housing assistance and determined by FEMA to be eligible for such individual housing assistance, without repayment obligations, relating to Hurricane Katrina. Cingular will confirm that such individuals reside (or resided, at the time of the hurricane) in one of the counties in Louisiana, Alabama, or Mississippi identified as eligible for individual FEMA assistance in the appendix to the *Katrina Order*. Given that many individuals affected by Hurricane Katrina are currently residing in other states, Cingular proposes to make this plan available to customers who currently reside anywhere in the United States that Cingular provides service, provided that the customers certify that they resided in one of the qualified counties or parishes at the time of the disaster and are otherwise eligible for the assistance as provided in the *Katrina Order*.

Cingular will verify the qualifications of participants in the following manner. Cingular will allow new and existing customers to enroll at Cingular Owned Retail ("COR") Locations. In addition, Cingular will allow existing customers to submit a certification form via US Mail.

COR Locations:

- Customer will complete the attached Hurricane Katrina Lifeline Certification of Eligibility (attached hereto as Exhibit D) and must provide a FEMA authorization letter or proof of funds received from FEMA.
- Cingular Employee will verify government-issued identification, preferably photo identification.
- Cingular Employee will enter customer information into the Cingular Hurricane Katrina Lifeline database to confirm customer (and household) has not received a Lifeline package from Cingular. Information is validated against all other records in the database on last name, current address, social security number and wireless phone number.
- Upon verification, Cingular Employee will process transaction.
- For new customers, fulfillment of the phone and minutes will occur in the store.

- For customers choosing the existing customer offers, credit to wireless account will occur within 5 business days based on information from the Cingular Hurricane Katrina Lifeline Database. Customers whose information cannot be processed based on the database will be contacted within 15 days by text message.
- Cingular reserves the right to deny a Lifeline package after the initial validation and entry to the database if Cingular finds reason to believe the request is a duplicate for any wireless number or household or the customer is otherwise ineligible.

Mail-In Process for existing customers:

- Cingular will make the Certification of Eligibility form available to existing customers on its website with a specific URL to be created.
- Customer will print and complete the Certification form.
- Customer will send the certification form, a copy of their identification and FEMA letter/proof of payment to a specified P.O. Box.
- A third-party vendor will be contracted to process the certification forms, using the Cingular Hurricane Katrina Lifeline Database to validate that customers have not received a Lifeline package from Cingular.
- Credit to the customer's wireless account will occur within 5 business days based on information from the Cingular Hurricane Katrina Lifeline Database. Customers whose information cannot be processed based on the database will be contacted within 15 days by text message.
- Cingular reserves the right to deny a lifeline package after the initial validation and entry to the database if Cingular finds reason to believe the request is a duplicate for any wireless number or household or the customer is otherwise ineligible.

Documentation Retention

- Cingular is mandating all COR locations and third-party vendor submit all documentation to our scanning vendor for record retention on a weekly basis and these records will be retained for three years. Documentation will be made available to the FCC for audit via an optical viewer.

CONCLUSION

Cingular requests designation as a special ETC on a nationwide basis for purposes of providing low income universal service assistance to individuals affected by Hurricane Katrina, consistent with the *Katrina Order*. A certification that Cingular intends to offer Lifeline services to qualifying subscribers consistent with the *Katrina Order* is attached hereto as Exhibit C.

Respectfully submitted,

CINGULAR WIRELESS LLC

By: /s/
J.R. Carbonell
Carol L. Tacker
M. Robert Sutherland
5565 Glenridge Connector
Suite 1700
Atlanta, GA 30342
(404) 236-5543

Its Attorneys

November 9, 2005

EXHIBIT A

New Customer, Pay-As-You-Go Offer

- Free Nokia 6010 handset. (Nokia 6030 would be used as substitution phone if Nokia 6010 inventory is depleted.)
- \$75 prepaid card. This value equals 300 minutes if the customer uses the credit solely for minutes. Card will be valid for 180 days from sign-up.
- Additional Cards can be purchased for \$15, \$25, \$50, \$75 and \$100. The per-minute cost of additional minutes is 25 cents.
- No contract commitment. Customer will have 180 days to use the 300 minutes provided.

Current Subscribers: Go Phone "Pay As You Go" Prepaid Offer⁴

- Apply \$130 credit to current prepaid wireless account.
- If customer uses the credit solely for minutes, value equals 520 minutes.
- Cingular's prepaid plans include no long-term commitments beyond the use of the minutes purchased.

Current Subscribers: Postpaid Offer

- Apply \$130 credit to current postpaid wireless account.
- Amount will be applied to customer's account as a credit so it will be used for all charges the customer incurs based on their plan and usage. Plan details will vary based on customer's current rate plan.
- Customer's existing contract terms apply. No additional commitment will be required to obtain this Lifeline package.

⁴ Not applicable for current customers on KIC, Free 2 Go, Go Phone –Pick Your Plan or Former AT&T Go Phone. These customers must visit a COR Location to get the New Customer Pay-As-You-Go offer.

EXHIBIT A-1

Coverage Map

The attached map was submitted in connection with last year's merger of Cingular with AT&T Wireless. Since the merger has been approved and consummated, Cingular's present coverage area includes the areas colored both orange and blue on the map.



EXHIBIT B

ADVERTISING PLAN

Cingular's advertising plan for its special Katrina Lifeline offering would include at minimum the following activities:

- **Print advertising:** At least one newspaper in New Orleans and Biloxi, weekly from date of designation for at least 4 weeks.
- **Point-of-sale materials in company-owned Cingular retail stores:** Counter cards will be mandatory in company-owned stores in Alabama, Louisiana, and Mississippi. Other markets will have the option to display counter cards but will not be required. All company-owned stores will have access to the Certification of Eligibility and Description of Program.
- **World Wide Web:** Information regarding the program will be available on Cingular's website (in particular, at Cingular's page dealing with hurricane relief and recovery (<http://www.cingularhurricaneupdates.com>)). In addition, Cingular will have a specific URL for this program associated with the current Lifeline offering.

EXHIBIT C

CERTIFICATION OF ERIKA K. THOMPSON

I, Erika K. Thompson, do hereby certify under penalty of perjury the following:

I am the authorized representative of Cingular Wireless LLC ("Cingular") with respect to Cingular's petition for designation as a temporary eligible telecommunications carrier ("ETC") for purposes of providing relief to individuals affected by Hurricane Katrina, per the FCC's action in *Federal-State Joint Board on Universal Service; Schools and Libraries Support Mechanism; Rural Health Care Support Mechanism; Lifeline and Link-Up*, CC Docket Nos. 96-45, 02-6; WC Docket Nos. 02-60, 03-109, Order, FCC 05-178 (rel. Oct. 14, 2005) ("*Katrina Order*") (the "Petition").

I have reviewed the foregoing Petition and certify that the facts stated therein, of which I have personal knowledge, are true and correct to the best of my knowledge.

To the best of my knowledge, neither Cingular, nor its officers, directors, or persons holding five percent or more of Cingular's outstanding stock or shares (voting and/or non-voting), as specified in Section 1.2002(b) of the Commission's rules, are subject to a denial of federal benefits, including FCC benefits, pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 862.

The foregoing is true, complete, and correct to the best of my knowledge, information and belief.

/s/ Erika K. Thompson

Vice President – Sales Operations

Dated: November 9, 2005

EXHIBIT D

CERTIFICATION OF ELIGIBILITY APPLICATION

Hurricane Katrina FCC Lifeline Program

Cingular Wireless is voluntarily participating in the FCC Hurricane Katrina Lifeline Program. Only customers who meet the eligibility requirements set by the FCC should complete this application

- In-Store fulfillment is required to obtain a new phone and \$75 credit towards Go Phone Pay as You Go (prepaid) service and may be used by existing customers for other packages.
- Mail-In fulfillment may be used by existing customers for the \$130.00 credit

Applications will be accepted until March 1, 2006.

STEP 1: Complete Head of Household Information

IN-Store and Mail-In fulfillment: ALL fields must be completed unless otherwise indicated:

Date _____ First Name _____ Last Name _____

Current Address:

Street Number _____ Street Name _____ Apt Number _____

City _____ State _____ Zip _____

Contact Phone Number _____ Fax Number (optional) _____

E-mail Address _____

Impacted Address:

Street Number _____ Street Name _____ Apt Number _____

City _____ State _____ Zip _____ County/Parish _____

Date of Birth (MM/DD/YYYY) _____ Social Security Number _____

Cingular Wireless Phone Number _____

STEP 2: Provide Required Documentation

In-Store fulfillment: Please bring the required documentation with you when you visit the Cingular company-owned retail location.

Mail-In fulfillment: Please copy all required documentation and submit with completed and signed application.

I am including/providing copies of the following documents:

- Government issued ID, preferably with photo [REDACTED] applicant's initials required
- Copy of the "Eligibility Determination Letter" or proof of payment (check stub or deposit slip) from FEMA stating that I (applicant) am eligible for individual housing assistance related to Hurricane Katrina with no obligation to repay FEMA for the support. [REDACTED] applicant's initials required

STEP 3: Select One Wireless Package

In-Store fulfillment: Required for Lifeline Package 1, optional for Lifeline Packages 2 and 3

Mail-In fulfillment: May be used for Wireless Lifeline Packages 2 and 3

___ Package 1: New Nokia 6010 Phone Kit and \$75 credit for new Go Phone Pay as You Go service

___ Package 2: Existing customer: \$130.00 credit toward Go Phone Pay as You Go account

___ Package 3: Existing customer: \$130.00 credit toward single line or Family Talk Account

Note: \$130.00 credit to account is NOT valid for Free2Go, Former AT&T Wireless Go Phone, KIC and Cingular Go Phone Pick Your Plan service. Customers on these rate plans are eligible for Package 1.

STEP 4: Complete Certification of Eligibility

IN-Store and Mail-In fulfillment: Section MUST be Initialed and signed as directed

I am applying for the Hurricane Katrina Wireless Lifeline Package and certify the following:

- I was a resident of a county or parish designated by the FCC as eligible for this wireless Lifeline at the time of hurricane Katrina. ☐ *applicant's initials required*
- FEMA has determined that I am eligible/approved for individual housing assistance related to Hurricane Katrina and am under no obligation under FEMA rules to repay FEMA for this support. ☐ *applicant's initials required*
- I am the head of my household (defined as "one adult and his/her dependents, living together in the same residence".) ☐ *applicant's initials required*
- This is the only Hurricane Katrina Wireless Lifeline Package I have requested/received from Cingular Wireless or any wireless carrier. ☐ *applicant's initials required*

I have read the information on this application and understand that I must meet the qualifications for individual housing assistance related to Hurricane Katrina and I have no obligation to repay FEMA. I understand the Hurricane Katrina Wireless Lifeline Package is only available for a single wireless line for the head of household in one of the FCC approved counties/parishes. I understand that I can only receive one Hurricane Katrina Lifeline package. I understand that completion of this application does not constitute immediate enrollment in this program. I understand service will be provided subject to the terms of service, rate plan brochure and the FCC Hurricane Katrina Lifeline temporary order.

I hereby certify under penalty of perjury that the information contained on this application is true and correct. I further consent to the release of the information pursuant to the administering of this Hurricane Katrina Wireless Lifeline Program.

Applicant's Signature _____ Date _____

In-Store Fulfillment: Please visit a Cingular Company-Owned Retail Store

Mail-In Fulfillment: Mail the completed application and copies of required documentation to:

Cingular Wireless
Hurricane Katrina Lifeline Program
P.O. Box 31251
Clarksville, TN 37040

Please allow fifteen business days to process the application. To check the status of your request after allowing time for processing, you may contact Cingular Wireless at xxx xxx xxxx.

If you are not eligible for the Lifeline Program, Cingular will notify you via text message or mail within fifteen business days of receipt of the application.

BellSouth Customers: If you are waiting on landline service restoration from BellSouth, please call 1-888-757-6500 as you may be eligible for additional services from BellSouth.

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For Cingular Wireless Use Only **Required Fields

I validated that the applicant is eligible for the Hurricane Katrina Lifeline Package and I received all required documentation _____ *Initials* _____ *CUID*

Government Issued ID _____ *Initials*

Certification of Eligibility Application _____ *Initials*

FEMA Eligibility Letter or proof of payment (FEMA check stub or deposit slip) from FEMA _____ *Initials*

Cingular Wireless Store Number/Call Center Location _____